

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JESSICA M. PROANO,

Plaintiff,

vs.

CIV. NO. 1:18-CV-00612-KRS

**NANCY A. BERRYHILL,¹
Acting Commissioner of
Social Security,**

Defendant.

ORDER

Upon consideration of Defendant's Unopposed Motion for Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) (ECF No. 22), and good cause appearing,

IT IS HEREBY ORDERED that the Commissioner's decision is REVERSED under sentence four of 42 U.S.C. § 405(g)² and REMANDED to the Commissioner for further administrative proceedings.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE

¹ Nancy A. Berryhill became Acting Commissioner of Social Security on January 23, 2017. Because of the Federal Vacancies Reform Act, Ms. Berryhill briefly resumed her position as the Deputy Commissioner for Operations (and was identified as such on agency pleadings) from March 6, 2018, until April 17, 2018; she returned to her role of Acting Commissioner on April 17, 2018, when the President nominated Andrew M. Saul to be Commissioner of Social Security. *See* 5 U.S.C. § 3346(a)(1)-(2).

² The Clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.